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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/630,015	07/31/2000	Aysha Saeed	5156-01	6450

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EXAMINER

BLECK, CAROLYN M

ART UNIT	PAPER NUMBER
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3626

DATE MAILED: 02/20/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/630,015

Applicant(s)

SAEED ET AL.

Examiner

Carolyn M Bleck

Art Unit

3626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 31 July 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 July 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

## **DETAILED ACTION**

### ***Notice to Applicant***

1. This communication is in response to the application filed 31 July 2000. Claims 1-15 are pending. An IDS statement filed 31 July 2000 has been entered and considered.

### ***Drawings***

2. Figures 1-3 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Spurgeon (5,890,129) in view of Cullen et al. (6,272,528).

(A) As per claim 1-5 and 8-15, Spurgeon discloses a method for exchanging health care insurance, clinical, and business information between insurer and multiple health care providers for efficient administration of services in the health care delivery system comprising:

(a) providing an information-exchange computer (reads on "coordinator system"), also referred to as a web server, wherein local information-exchange software operable on that computer, and in some cases, remote information-exchange software operable on client computers, primary health care provider interface computers and specialist health care provider computers (reads on "medical service provider system"), third party computers or insurer computers (reads on "plurality of practice management agent systems"), wherein the information-exchange computer includes a translator which makes it possible to have automatic transmission and communication of data between computers/systems having incompatible or different and proprietary data formats, wherein the data exchanged includes subscriber demographics, benefit plan, eligibility, prior authorization, claims, quality assurance, and governmental regulatory information, wherein communication between computers is via the Internet, wherein the client computers connected to the information-exchange computer are provided with interfaces, such as a web browser, for transmitting and viewing data (Abstract, Fig. 1-4, col. 1 lines 5-15, col. 3 lines 1-65, col. 5 line 55 to col. 6 line 24, col. 9 lines 19-35, and col. 10 lines 19-33);

(b) wherein software modules are provided on the computers for the transmitting, receiving, and viewing of data translated from the translator (col. 3 lines 1-16 and 47-65, col. 7 lines 8-52);

(c) wherein functions performed by the third party computers include prior authorization requests, claims processing, explanation of benefits and electronic payment processing (col. 3 line 65 to col. 4 line 18 and col. 10 lines 19-44); wherein the translator includes interface portions for communication between the provider and information-exchange computer and database and data formats (col. 9 lines 19-54); and

(d) wherein the costs reduced by using the system are the cost for hardware and software, costs for translating and formatting incompatible data, costs for manually reentering data between systems (col. 1 line 58 to col. 2 line 67, col. 3 lines 1-65, and col. 9 lines 19-57).

Spurgeon fails to expressly disclose providing to the medical provider system for selection of a first practice management agent system from a plurality of practice management systems, wherein the medical service provider system registers with the coordinator system the selection of the practice management agent system, wherein the coordinator system evaluates security data and authorizes access to administrative data, and generating an analysis of the practice management's effectiveness from the coordinator system administrative data to aid the medical service provider in evaluating and selecting the practice management agent system, and wherein the evaluation of

Art Unit: 3626

effectiveness includes evaluation of price, features, turnaround time, ancillary services, guarantees, and customer service.

Cullen discloses obtaining details of a user's requirements regarding the delivery of financial services and for obtaining financial information from server computers on behalf of the user in light of the user's requirements over the Internet, wherein the user selects the insurance agent which notifies the agent server of the selection, wherein the agent server provides a log-in procedure by which a user can log in to the system, wherein the log-in procedure includes acquiring authentication information such as user name and password, and wherein the agent server validates the information to provide user-specific information, and wherein the recommendations to the user are based on the user's preference and are ordered based on suitability, such as price and features (col. 1 lines 5-18 and 45-67, col. 3 line 1 to col. 4 line 35, col. 5 line 55 to col. 6 line 20, col. 7 line 5 to col. 8 line 28, col. 9 lines 49-60).

At the time the invention was made, it would have been obvious to one of ordinary skill in the art to combine the components of Cullen within the method of Spurgeon with the motivation of increasing the speed and cost with which claims are processed and paid, reducing the errors and miscommunications between parties, reducing the time and effort to make updates to software without a requirement for manual reentry of information (Spurgeon; col. 4 lines 41-55) and reducing the cost in implementing and maintaining the systems by allowing incompatible systems to communicate (Spurgeon; col. 2 lines 4-67).

Art Unit: 3626

(B) Claims 6-7 appear to be a compilation of the features of claim 1 with the features of claims 2-5 and 8-15, and are therefore rejected for the same reasons given for claims 1-5 and 8-15, in combination.

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to the Applicant's disclosure. The cited but not applied prior art teaches a system for facilitating a syndicated sale of an insurance policy (6,119,093), a point of service third party financial management vehicle for the healthcare industry (6,208,973), a medical transaction system (6,453,297), an enterprise wide software management system for integrating a plurality of heterogeneous software systems to support clients and sub clients communication by using a middleware interface (6,457,049), a system and method for aggregating multiple buyers utilizing conditional purchase offers (6,446,919), and a method for integrating wireless and non-wireless devices into an enterprise computer network using a middleware server (6,473,805).

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carolyn Bleck whose telephone number is (703) 305-3981. The Examiner can normally be reached on Monday-Thursday, 8:00am – 5:30pm, and from 8:30am – 5:00pm on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Thomas can be reached at (703) 305-9588.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Receptionist whose telephone number is (703) 306-1113.

**7. Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**Or faxed to:**

(703) 305-7687	[Official communications; including After Final communications labeled "Box AF"]
(703) 746-8374	[Informal/ Draft communications, labeled "PROPOSED" or "DRAFT"]

Hand-delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, Arlington, VA, 7th Floor (Receptionist).

*CB*

CB

February 11, 2003

*Dinh X. Nguyen*

DINH X. NGUYEN  
PRIMARY EXAMINER